

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kevin L. Parsons Art Unit.: 3677  
Serial No.: 10/684,970 Confirmation No.: 9957  
Filed: October 14, 2003 Examiner: Andre L. Jackson  
For: LEVERAGED BATON CAP  
Attorney  
Docket No.: 90054

**RESPONSE TO HOLDING OF NON-RESPONSIVE SUBMISSION**

Commissioner for Patents  
Mail Stop AMENDMENT  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Communication dated September 7, 2006, applicant, through his undersigned attorneys, respectfully requests entry of this Response and further consideration of applicant's claims as now presented and the Remarks and previously filed Declaration Under Rule 37 C.F.R. §1.132 of applicant Dr. Kevin L. Parsons specifically pointing out how applicant's claims patentability distinguish over the references as applied by the Examiner. The Remarks set forth herein supplement the REMARKS presented in the Amendments filed May 12, 2006, and June 19, 2006, in the subject application.

The claims presented herein are identical to and have the same indicated parenthetical expression of status as the claims as amended in the Amendment filed May 12, 2006 except for a further amendment to claim 15. Claims 20-22 are again designated as "New".